

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FAIR HOUSING CENTER OF
WASHTENAW COUNTY, INC.,
a Michigan non-profit corporation,
d/b/a The Fair Housing Center of
Southeastern Michigan, Inc.,

Plaintiff,

No. 07-cv-10262
HON. AVERN COHN

v.

TOWN & COUNTRY APARTMENTS-
ANN ARBOR, L.L.C., a Michigan
limited liability company, d/b/a
Town & Country Apartments,

Defendant.

**ORDER GRANTING PLAINTIFF'S MOTION IN LIMINE TO
PROHIBIT DEFENDANT'S IMPROPER ARGUMENTS IMPUGNING THE FHC'S
COMPLIANCE WITH ITS STATUTORY DUTY IN CONDUCTING TESTING AND
INITIATING THIS ENFORCEMENT PROCEEDING AGAINST DEFENDANT¹**

This is a Fair Housing Act (FHA) case. Plaintiff is suing defendant for discrimination based on race in violation of the FHA. The case has survived a motion for summary judgment and a Final Pretrial Conference is scheduled for **Tuesday, April 21, 2009 at 2:00 p.m.**

Before the Court is plaintiff's motion styled Motion in Limine to Prohibit Defendant's Improper Arguments Impugning the FHC's Compliance with Its Statutory

¹ The Court reminds the parties that in the Sixth Circuit, a ruling on a motion in limine is advisory only. United States v. Yannott, 42 F.3d 999, 1007 (6th Cir. 1994). To preserve for appeal any issue relating to this decision, a party should raise the question at trial and obtain a final decision from the Court. See United States v. Luce, 713 F.2d 1236, 1239-40 (6th Cir. 1983).

Duty in Conducting Testing and Initiating This Enforcement Proceeding Against Defendant.

Plaintiff's motion is GRANTED. The parties would do well to consider stipulating to the FHC's (1) stated purpose; (2) relationship to HUD under the Fair Housing Initiatives Program, which includes an enforcement mission appropriate to contracted private nonprofit fair housing organizations; and (3) statutory duties under its contract.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: March 30, 2009

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, March 30, 2009, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160